

REMARKS

This amendment is responsive to the Office Action of October 4, 2000. Reexamination and reconsideration of the application are respectfully requested.

The Office Action

Claims 1-13 stand allowed.

The amendments to the disclosure, which were made in the Amendment C submitted May 22, 2000, stand objected to under 35 U.S.C. §132 as new matter.

Claims 18-22 stand objected to under 35 U.S.C. §112, first paragraph, as containing new matter.

35 U.S.C. §132

Applicants have amended the Specification to cancel the matter added in Amendment C (submitted May 22, 2000). Therefore, the specification now meets the requirements of 35 U.S.C. §132.

35 U.S.C. §112, First Paragraph

Applicants have carefully amended the claims to resolve the Examiner's rejections under 35 U.S.C. §112, first paragraph. Therefore, all the claims now meet the statutory requirements of 35 U.S.C. §112.

More specifically, claim 18 has been amended to replace "fully extended away from the NMR polarizing magnet" with --wholly outside of the gap--. As originally filed, U.S. Patent No. 5,207,224 ("the '224 patent") called for the patient support to move to a position "wholly outside the core arrangement" (see column 3, line 58 of the '224 patent) and "wholly outside of said gap" (see column 5, line 35 of the '224 patent). Therefore, the clause "wholly outside of the gap" in

claim 18 finds support in the '224 patent as originally filed.

Furthermore, **claim 18** has been amended to replace "and being constrained to prevent movement with respect to said lower magnet pole" with --and fixed with respect to the upper and lower magnet poles--. As originally filed, the '224 patent called for the lower table 43 to be "fixed with respect to the magnet core arrangement 41" (see column 4, lines 23-25 of the '224 patent). FIGURES 4 and 5 of the '224 patent as filed show the patient support 31 including a platter 39. The platter is slidable on the lower table 43 (see column 4, lines 19-23 of the '224 patent). Therefore, the '224 patent as filed disclosed that the patient transport 31 is fixed with respect to the magnet core arrangement 41 and, therefore, the upper and lower magnet poles. Consequently, the clause "and fixed with respect to the upper and lower magnet poles" in **claim 18** finds support in the '224 patent as originally filed.

For the reasons stated above, **claim 18**, along with **claim 19** which depends therefrom, now meet the statutory requirements of 35 U.S.C. §112.

Claim 20 has been amended to replace "positioned completely away from" with --wholly outside of--. As discussed above, column 3, line 58 and column 5, line 35 of the '224 patent as originally filed provide support for placing the patient on a movable bed while the bed is wholly outside of a gap. The gap called for in **claim 20** is formed by a C-shaped NMR polarizing magnet. Therefore, the clause "wholly outside of the gap the NMR polarizing magnet" in **claim 20** finds support in the '224 patent as originally filed.

Claim 21 has been amended to replace "displaced fully away from" with --wholly outside of--. As discussed

above, column 3, line 58 and column 5, line 35 of the '224 patent as originally filed provide support for placing the patient on a movable bed while the bed is wholly outside of a gap. The gap called for in **claim 21** is defined by upper and lower poles of an NMR polarizing magnet. Therefore, the clause "wholly outside of the upper and lower poles" in **claim 21** finds support in the '224 patent as originally filed.

Claim 22 has been amended to replace "completely displaced from" with --wholly outside of--. As discussed above, column 3, line 58 and column 5, line 35 of the '224 patent as originally filed provide support for placing the patient on a movable bed while the bed is wholly outside of a gap. The gap called for in **claim 22** is defined by opposed upper and lower horizontal poles, which define an MRI image volume. Therefore, the clause "wholly outside of the upper and lower horizontal poles" in **claim 22** finds support in the '224 patent as originally filed.

TELEPHONE INTERVIEW

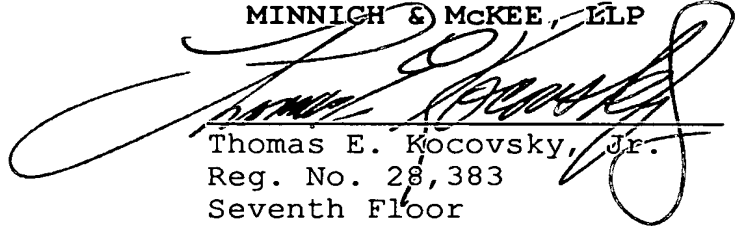
If, for any reason, the Examiner does not concur that this amendment resolves all outstanding issues and places the application fully in condition for allowance, it is requested that he telephone the undersigned to conduct a telephone interview and discuss resolving any outstanding issues by Examiner's Amendment.

CONCLUSION

For the reason set forth above, it is requested that claims 1-13 and 18-22 be allowed.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

A large, stylized handwritten signature in black ink, likely belonging to Thomas E. Kocovsky, Jr., is written over the printed name and address.

Thomas E. Kocovsky, Jr.
Reg. No. 28,383
Seventh Floor
1100 Superior Avenue
Cleveland, Ohio 44144-2518
(216) 861-5582